

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
 )  
 )  
 v. ) CRIMINAL NO. 04-30034-MAP  
 )  
 )  
 MICHAEL A. CROOKER, )  
 )  
 Defendant. )

THE GOVERNMENT'S AND THE DEFENDANT'S STATUS  
REPORT PURSUANT TO LOCAL RULE 116.5(A)

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts and defense counsel for Michael Crooker, hereby submit the following status report pursuant to Local Rule 116.5(A) and Magistrate Judge Neiman's written order.

1. The parties agree that this is not a complex case and therefore the timing requirements imposed by Local Rule 116.3 should be followed.

2. The defendant requests discovery concerning expert witnesses under Fed.R.Crim.P. 16(a)(1)(E). The government requests reciprocal discovery pursuant to Fed.R.Crim.P. 16(B)(1)(C). Accordingly, the parties agree that it is appropriate for the Court to establish dates for response by the parties.

3. The parties, at this time, do anticipate that additional discovery will be provided by the government and the defendant as a result of the future receipt of information, documents, or reports of examinations or tests.

4. The parties agree that a motion date should be established under Fed.R.Crim.P. 12(c).

5. The parties agree that the time from arraignment, through the present is excludable from the Speedy Trial Act pursuant to 18 U.S.C. Section 3161(h)(8)(A) and Local Rule 112.2(A)(1), (2), and (3). Accordingly, the government requests that the Court issue an order indicating that the time from arraignment to the present is excludable pursuant to Local Rule 112.2(B).

6. The parties anticipate a trial in this case which will require approximately one week consisting of four hour trial days.

7. The parties agree that it is premature to establish a final status conference at this time.

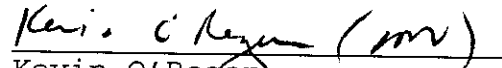
8. On August 26, 2004, the defendant requested that the government provide him with additional information regarding certain statements made by Michael Crooker that the government has declined to disclose. The government's response is due on

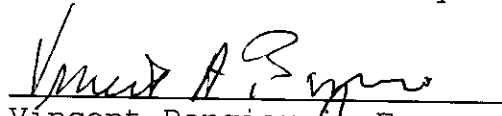
September 13, 2004.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By:

  
Kevin O'Regan  
Assistant U.S. Attorney

  
Vincent Bongiorno, Esq.  
Counsel for Michael Crooker

Dated: September 8, 2004